

REQUEST FOR REFUND
U.S. Application No. 09/881,234

PATENT & TRADEMARK OFFICE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Douglas M. BLAIR
Appln. No.: 09/881,234
Filing Date: Jun. 14, 2001
For: APPARATUS AND METHOD FOR PROVIDING SEQUENCE
DATABASE COMPARISON

2005 SEP 27 PM 4:32
Atty. Docket No.: 2551-026
US PATENT & TRADEMARK OFFICE
Group Art Unit: 1631
Examiner: Smith, C.

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

Dear Sir:

Appellant hereby requests under 37 C.F.R. 1.26(a) that the Director refund \$500.00 paid by mistake or in excess of that required to deposit account no. 18-1579.

Deposit account no. 18-1579 of Roberts Abokhair & Mardula LLC was charged \$250.00 under Fee Code 2401 and an additional \$250.00 under Fee Code 2402 on September 26, 2005 in Application Ser. No. 09/881,234. See Attachment A - Deposit Account Statement. Fee Codes 2401 and 2402 are for a Notice of Appeal and a Brief on Appeal, respectively. Appellant in Application Ser. No. 09/881,234 previously paid the fees under 37 C.F.R. 1.17(b) for a Notice of Appeal on December 9, 2003 (Check No. 2551) and paid the fees under 37 C.F.R. 1.17(c) for a Brief on Appeal on March 9, 2004 (Check No. 10826). See Attachment B - cover letter and copy of check filed with Notice

Adjustment date: 11/04/2005 EEKURAY
09/26/2005 TJOHNS04 00000020 181579 09881234
01 FC:2401 250.00 CR
02 FC:2402 250.00 CR

September 26, 2005

REQUEST FOR REFUND
U.S. Application No. 09/881,234

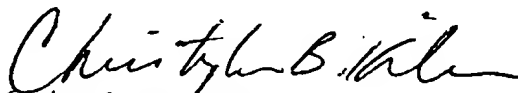
of Appeal on Dec. 9, 2003. See Attachment C - cover letter and copy of check filed with Brief on Appeal on Mar. 9, 2004.

This Appeal was reinstated on April 21, 2005 and the prior payment of fees was noted on the cover letter filed therewith. See Attachment D - cover letter for reinstatement of Appeal on Apr. 21, 2005.

The Appellant filed a Reply Brief on September 9, 2005 under 37 C.F.R. 41.41. Unlike the provisions for filing a Brief on appeal under 37 C.F.R. 41.37(a)(2), which requires payment of a fee under 37 C.F.R. 41.20(b)(2), the provisions for filing a Reply Brief under 37 C.F.R. 41.41 have no such requirement for fees.

Since Appellant has previously paid the fees for a Notice of Appeal and a Brief on Appeal, Appellant respectfully submits that the \$500.00 in fees charged to Deposit Account 18-1579 on September 26, 2005 in Application Ser. No. 09/881,234 were paid by mistake or in excess of that required.

Respectfully submitted,



Christopher B. Kilner
Registration No. 45,381
Roberts Abokhair & Mardula, LLC
11800 Sunrise Valley Drive,
Suite 1000
Reston, VA 20191
(703) 391-2900



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: September 2005
 Deposit Account Number: 181579
 Name: ROBERTS ABOKHAIR & MARDULA, LLC
 Attention: ATTN: JON L. ROBERTS / JANET M. O'DEA
 Address: 11800 SUNRISE VALLEY DRIVE
 City: RESTON
 State: VA
 Zip: 20191
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/01	1	10806845	2924-001	2201	\$200.00	\$4,142.00
09/01	2	10806845	2924-001	2202	\$50.00	\$4,092.00
09/02	95	09533152	2610-001	2253	\$510.00	\$3,582.00
09/09	6	10140323	2687-001	2401	\$165.00	\$3,417.00
09/12	1587	78313363	2483-016T	7004	\$150.00	\$3,267.00
09/13	2	2305201	2011-005T	7206	-\$100.00	\$3,367.00
09/15	130	2277565	2595-6T	7205	\$100.00	\$3,267.00
09/15	131	2277565	2595-6T	7208	\$200.00	\$3,067.00
09/15	568	78713024	1042	7007	\$275.00	\$2,792.00
09/15	1163	78713353	1042	7001	\$325.00	\$2,467.00
09/15	1231	78713381	1042	7001	\$325.00	\$2,142.00
09/15	1338	78713428	1042	7001	\$325.00	\$1,817.00
09/15	1464	78713472	1042	7001	\$325.00	\$1,492.00
09/15	1736	78342586	2011-073T	7004	\$150.00	\$1,342.00
09/21	1328	78407375	2011	7004	\$150.00	\$1,192.00
09/21	1331	78407352	2011	7004	\$150.00	\$1,042.00
09/22	52	E-REPLENISHMENT		9203	-\$5,000.00	\$6,042.00
09/22	372	78409559	2011	7004	\$150.00	\$5,892.00
09/22	406	78407340	2011	7004	\$150.00	\$5,742.00
09/26	27	09881234	2551-026	2401	\$250.00	\$5,492.00
09/26	28	09881234	2551-026	2402	\$250.00	\$5,242.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$4,342.00	\$4,200.00	\$5,100.00	\$5,242.00

Express Mailing Label No.: EV 312366109US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket No.: 2551-026

Douglas M. BLAIR

Appln. No.: 09/881,234

Group Art Unit: 1631

Filing Date: June 14, 2001

Examiner: Smith, C.

For: **APPARATUS AND METHOD FOR PROVIDING SEQUENCE DATABASE
COMPARISON**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

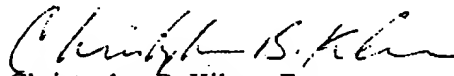
Dear Sir:

Enclosed please find the following:

1. Notice of Appeal; and
2. One check in the amount of \$165.00 for filing the Notice of Appeal.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579. The Commissioner is also authorized to charge Deposit Account No. 18-1579 for any future fees connected in any way to this application. Two copies of this letter are enclosed.

Respectfully submitted,



Christopher B. Kilner, Esq.

Registration No. 45,381

Roberts Abokhair & Mardula, LLC

11800 Sunrise Valley Drive, Suite 1000

Reston, VA 20191-5302

(703) 391-2900

December 9, 2003

Atty. Docket No. 2551-026

Roberts Abokhair & Mardula, LLC

002551

DATE: : Dec 9/2003

CHE # : 2551

AMOUNT: \$165.00

ACCOUNT: TRUST - 1

PAID TO: Commissioner for Patents and Trademarks

Filing Fees

Filing Fees - Notice of Appeal

CLIENT: 551 - Parabon Computation, Inc.

MATTER: jlr551

Roberts Abokhair & Mardula, LLC

TRUST ACCOUNT

PH. 703-391-2900

11800 SUNRISE VALLEY DRIVE, STE 1000
RESTON, VA 20191

BANK OF AMERICA, N.A.

68-1/510 VA
4505

CHECK NO.

2551

002551

One Hundred Sixty Five ***** 00/100

PAY TO THE ORDER OF

DATE

AMOUNT

Dec 9/2003 \$165.00

Commissioner for Patents and Trademarks



- Notice of Appeal

⑈002551⑈ ⑆051000017⑆ 004112932415⑈

Roberts Abokhair & Mardula, LLC

DATE : Dec 9/2003

CHE # : 2551

AMOUNT: \$165.00

ACCOUNT: TRUST - 1

PAID TO: Commissioner for Patents and Trademarks

Filing Fees - Notice of Appeal

CLIENT: 551 - Parabon Computation, Inc.

MATTER: jlr551

LAWYER: Jon L. Roberts

3930 Walnut Street

Suite 100

Fairfax

VA

22030-4839

Patent Matters

**** GENERAL BALANCES ****

UNBILLED DISBS:

A/R BALANCE :

002551

0.00

11192.86

**** TRUST BALANCES ****

Trust Acct 1:

500.00

TRUST BALANCE :

500.00

Express Mailing Label No.: EV 414811870 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Atty. Docket No.: 2551-026

Douglas M. BLAIR

Appln. No.: 09/881,234

Group Art Unit: 1631

Filing Date: June 14, 2001

Examiner: Smith, C.

For: APPARATUS AND METHOD FOR PROVIDING SEQUENCE DATABASE
COMPARISON

* * * * *
APPEAL BRIEF TRANSMITTAL
* * * * *

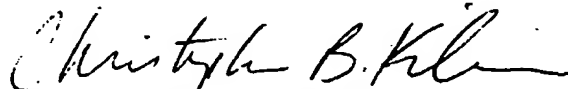
Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed, please find:

1. Appellants' Brief on Appeal (Original with 2 copies);
2. Petition for Extension of Time; and
3. Check in the amount of \$220.00 to cover the fees for the Appeal Brief (\$165.00) and the Extension of Time (\$55.00).

Respectfully submitted,



Christopher B. Kilner
Registration No. 45,381
Roberts Abokhair & Mardula, LLC
11800 Sunrise Valley Drive
Suite 1000
Reston, VA 20191
(703) 391-2900

ROBERTS ABOKHAIR & MARDULA LLC

OPERATING ACCOUNT

PH. 703-391-2900

11800 SUNRISE VALLEY DRIVE, STE. 1000

RESTON, VA 20191

BANK OF AMERICA

ACH R/T 051000017

88-1/510 VA

4505

CHECK NO.

10826
010826

Two Hundred Twenty ***** 00/100

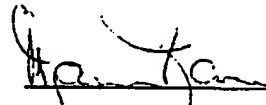
PAY TO THE ORDER OF

DATE

AMOUNT

Mar 9/2004 \$220.00

Commissioner for Patents



MP

- appeal brief, ext. of time - 2551-026 (Sequence Database Comparison)

⑈010826⑈ ⑆051000017⑆ 004124157288⑈

Express Mailing Label No.: EV 524793705 US
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Douglas M. BLAIR

Appln. No.: 09/881,234

Filing Date: Jun. 14, 2001

Atty. Docket No.: 2551-026

Group Art Unit: 1631

Examiner: Smith, C.

For: APPARATUS AND METHOD FOR PROVIDING SEQUENCE DATABASE
COMPARISON

* * * * *
NOTICE OF APPEAL AND APPEAL BRIEF TRANSMITTAL
* * * * *

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

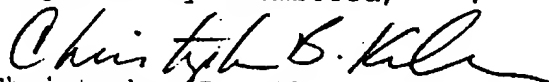
Enclosed, please find:

1. Notice of Appeal (to reinstate prior appeal); and
2. Appellants' Brief on Appeal in response to the Final Rejection dated January 21, 2005, with Claim and Evidence Appendices.

No fees are believed to be due in connection with this paper since the fee for the Notice of Appeal was previously filed on December 9, 2003 and the fee for the Brief on Appeal was previously filed on March 9, 2004.

However, in the event that it is determined that the payment of the fee is required for consideration of this paper, the Commissioner for Patents is hereby authorized to charge all necessary fees to the Deposit Account No. 18-1579. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Christopher B. Kilner, Reg. No. 45,381
Roberts Abokhair & Mardula, LLC
11800 Sunrise Valley Dr., Suite 1000
Reston, VA 20191
(703) 391-2900

Express Mailing Label No.: EV 462292097 US
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT & TRADEMARK
OFFICE

2005 SEP 27 PM 4:22

In re Application of
Douglas M. BLAIR
Appl. No.: 09/881,234
Filing Date: Jun. 14, 2001

Atty. Docket No.: 2551-026

Group Art Unit: 1631
Examiner: Smith, C.

US PATENT & TRADEMARK
OFFICE

For: **APPARATUS AND METHOD FOR PROVIDING SEQUENCE
DATABASE COMPARISON**

TRANSMITTAL LETTER

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed, please find:

1. Request for Refund;
2. Attachment A - Account Monthly Statement;
3. Attachment B - cover letter and copy of check filed with Notice of Appeal on Dec. 9, 2003;
4. Attachment C - cover letter and copy of check filed with Brief on Appeal on Mar. 9, 2004; and
5. Attachment D - cover letter for reinstatement of Appeal on Apr. 21, 2005.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579.

Respectfully submitted,



Christopher B. Kilner, Reg. No. 45,381
Roberts Abokhair & Mardula, LLC
11800 Sunrise Valley Dr., Suite 1000
Reston, VA 20191
(703) 391-2900

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